



9203/3624 *[Signature]*

Docket No.: 614.1933

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#14
nzw
5-6-03

In re the Application of:

Yoshiaki SHUTO

Serial No. 09/210,892

Group Art Unit: 3624

Confirmation No.: 7847

Filed: December 16, 1998

Examiner: S. Wasylchak

For: CONSTRUCTION OF SYSTEM UTILIZING INFORMATION STORED IN A SOLUTION
BANK (As Amended)

PETITION TO WITHDRAW HOLDING OF ABANDONMENT UNDER 37 CFR § 1.181(a)

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

This is in response to the Notice of Abandonment mailed December 16, 2002, which indicates in item 1 that no reply was received to the Office Action mailed November 23, 2001.

A reply to the November 23, 2001 Office Action was timely filed on February 22, 2002, as evidenced by the copy of the stamped postcard receipt attached hereto. A copy of the reply is also attached.

Therefore, it is respectfully requested that the Examiner's holding of abandonment be withdrawn.

No fee is required with the filing of a Petition Under 37 C.F.R. § 1.181(a). However, the Commissioner is authorized to charge any fees that may be associated with the filing of this Petition to Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

Date: 1/10/03

By: C. Joan Gilsdorf
C. Joan Gilsdorf
Registration No. 43,635

700 Eleventh Street, NW, Suite 500
Washington, D.C. 20001
(202) 434-1500



Please Date Stamp and return

Reply/Amendment Fee Transmittal and Request for Reconsideration

APPLICANT(S): Yoshiaki SHUTO

SERIAL NO: 09/210,892

CONFIRMATION NO.

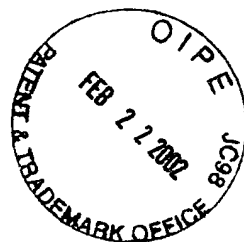
TITLE: CONSTRUCTION OF SYSTEM UTILIZING INFORMATION STORED IN A
SOLUTION BANK (As Amended)

FILING DATE: 7847

DOCKET NO: 614.1933/HEW:rrt

DUE DATE: February 23, 2002

BEST AVAILABLE COPY



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S&H Form: (10/01)

**REPLY/AMENDMENT
FEE TRANSMITTAL**

Attorney Docket No.	614.1933
Application Number	09/210,892
Filing Date	7847
First Named Inventor	Yoshiaki SHUTO
Group Art Unit	2164

AMOUNT ENCLOSED	0.00	Examiner Name	December 16, 1998
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FEE CALCULATION (fees effective 10/01/01)

CLAIMS AS AMENDED	Claims Remaining After Amendment	Highest Number Previously Paid For	Number Extra	Rate	Calculations
TOTAL CLAIMS	16	- 20 =	0	X \$ 18.00 =	\$ 0.00
INDEPENDENT CLAIMS	3	- 3 =	0	X \$ 84.00 =	0.00

Since an Official Action set an original due date of , petition is hereby made for an extension to cover the date this reply is filed for which the requisite fee is enclosed (1 month (\$110); 2 months (\$400); 3 months (\$920); 4 months (\$1,440); 5 months (\$1,960)):

If Notice of Appeal is enclosed, add (\$320)

If Statutory Disclaimer under Rule 20(d) is enclosed, add fee (\$110)

Total of above Calculations =

\$ 0.00

Reduction by 50% for filing by small entity (37 CFR 1.9, 1.27 & 1.28)

TOTAL FEES DUE =

\$ 0.00

(1) If entry (1) is less than entry (2), entry (3) is "0".

(2) If entry (2) is less than 20, change entry (2) to "20".

(4) If entry (4) is less than entry (5), entry (6) is "0".

(5) If entry (5) is less than 3, change entry (5) to "3".

METHOD OF PAYMENT

- ☐ Check enclosed as payment.
- ☐ Charge "TOTAL FEES DUE" to the Deposit Account No. below.
- ☒ No payment is enclosed and no charges to the Deposit Account are authorized at this time (unless specifically required to obtain a filing date).

GENERAL AUTHORIZATION

- ☒ If the above-noted "AMOUNT ENCLOSED" is not correct, the Commissioner is hereby authorized to credit any overpayment or charge any additional fees necessary to:

Deposit Account No. 19-3935

Deposit Account Name STAAS & HALSEY LLP

- ☒ The Commissioner is also authorized to credit any overpayments or charge any additional fees required under 37 CFR 1.16 (filing fees) or 37 CFR 1.17 (processing fees) during the prosecution of this application, including any related application(s) claiming benefit hereof pursuant to 35 USC § 120 (e.g., continuations/divisionals/CIPs under 37 CFR 1.53(b) and/or continuations/divisionals/CPAs under 37 CFR 1.53(d)) to maintain pendency hereof or of any such related application.

SUBMITTED BY: STAAS & HALSEY LLP

Typed Name Heath E. Wells

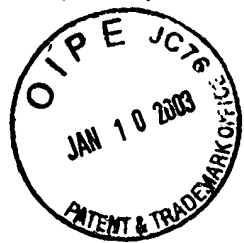
Reg. No. 43,257

Signature

Date

22 Feb 02

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Docket No.: 614.1933

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Yoshiaki SHUTO

Serial No. 09/210,892

Group Art Unit: 2164

Filed: December 16, 1998

Examiner: S. Wasylchak

For: CONSTRUCTION OF SYSTEM UTILIZING INFORMATION STORED IN A SOLUTION BANK (As Amended)

REQUEST FOR RECONSIDERATION

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

This is in response to the Office Action mailed November 23, 2001, and having a period for response set to expire on February 23, 2002. The following remarks are respectfully submitted. Claims 1-16 are pending. Reconsideration of the claims is respectfully requested.

Applicants gratefully acknowledge the courtesies extended to Applicant's representative during the 3 January 2002 Interview with the Examiner. Applicants' separate record of the substance of the interview is incorporated herein.

On page 2, in paragraph 3 of the Office Action, claims 1, 9, 12 and 16 were rejected under 35 U.S.C. §102(b) as being anticipated by Srinivasan (U.S. Patent No. 5,548,506). Further, on page 2, in paragraph 2 of the Office Action, it is noted that all prior rejections of claims remain. Claims 1-16 were rejected in the Office Action mailed April 6, 2001, under 35 U.S.C. §102(b) over U.S. Patent No. 5,548,506 to Srinivasan or U.S. Patent No. 5,535,388 to Takeda. The rejections are respectfully traversed.

In order for a rejection under 35 U.S.C. §102 to be proper, each and every element of every claim must be literally disclosed. Neither Srinivasan nor Takeda do so. As noted in the response to the previous Office Action and during the personal interview, neither Srinivasan nor Takeda teaches or anticipates "storing an information about development situations, know-how, and knowledge in a solution bank by a unit of a solution pattern" as recited in claim 1.

Srinivasan mentions storing information related to a project by a unit of a project, but neither teaches nor anticipates "by a unit of a solution pattern" as recited in claim 1. Srinivasan

deals with managing a currently ongoing project, and can therefore not teach or suggest anything related to using old solution patterns to solve new problems.

Applicant also notes that the Office Action mailed April 6, 2001, contains an error. Specifically, "Claims 2-8 are rejected by their dependency on claim 1." Applicant notes that dependent claims are inherently allowable over the independent claims on which they depend. Applicants respectfully request that the Examiner examine the dependent claims. Further, as Applicant has not had an opportunity to rebut any rejections of the dependent claims, Applicants request that the Finality of the action be removed, and any new action be non-final or an Allowance.

Claims 9 and 16 are allowable for reasons similar to those discussed above. Claims 2-8 and 10-15 are allowable as depending on claims 1 and 10 respectively, as well as for the additional features recited therein. Reconsideration and removal of the rejection of claims 1-16 is respectfully requested.

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

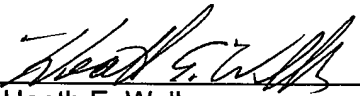
Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

Date: 22 Feb 02

By: 
Heath E. Wells
Registration No. 43,257

700 Eleventh Street, NW, Suite 500
Washington, D.C. 20001
(202) 434-1500